

United States District Court  
District of Massachusetts

Christopher J. Chase,

Plaintiff

V.

Correct Care Recovery Solutions,

BSH

ET AL,

Defendants'

18-10719-DJC

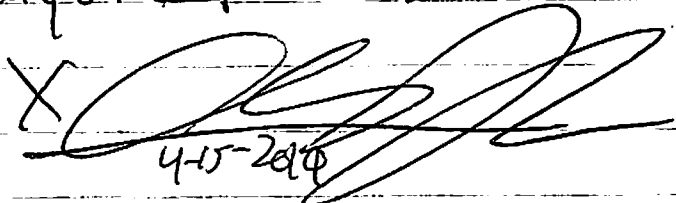
4-15-2019

More Definite Statement Of The Allegations Contained  
In The Complaint

1. The following more definite statement of allegations contained in the complaint, is written by me Christopher Chase, the plaintiff.
2. I ask that the next step be that the defendants' give an actual answer to this complaint.

Under the penalties of perjury the foregoing and following more definite statement is true to the best of my knowledge pursuant to 28 USC § 1746.

Signed this 15<sup>th</sup> Day of April Year 20 19  
Chris Chase  
20 Administration Rd  
Bridgewater MA  
02324

X   
4-15-2019

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(page 11-18; par. 40-71) (par. 40-71)  
1. The actions of Defendants Khan, Homer, Castor, Saintiche and Olubodun on 10-2-2017

(par. 40-41) (par. 71) also (54) (policy attached to complaint)  
in denying the plaintiff, who had an impaled abdominal stab wound, medically necessary and policy mandated, safe

(par. 154)  
ambulance transport required to preserve the plaintiff's life, was done maliciously and sadistically in direct

(par. 58-65) (46L123521 - safe transport)  
disregard for the plaintiff's life. This resulted in the plaintiff being recklessly transported to the Hospital by

(par. 62-63)  
medically untrained, unqualified security personnel who violently moved the impaled plaintiff, during which time

(par. 58-60, 55-56) (par. 63)  
no medical personnel chose to be present, causing further life threatening injury which required emergency

(par. 66-69) (par. 154)  
surgery immediately upon arrival to the Hospital. This served no governmental or national purpose and served

(par. 43-49)  
to punish the plaintiff for his mental illness. This decision was antithetical to human dignity and subjected

(par. 44, 50, 55-56, 58-65, 67) (par. 40-71)  
the plaintiff to the unnecessary and wanton infliction of pain, humiliating and degrading treatment,

(par. 154) (par. 43-65) (par. 43, 55-56, 58-60, 63, 65, 66, 67, 68, 69)  
potential loss of life, severe mental health decline, treatment that unjustifiably inflicted pain and was in-

(par. 40-71) (par. 40-41, 43-50, 55-65) also (57) (par. 243-249)  
herently cruel. This constituted Deliberate Indifference to the plaintiff's Serious Medical Need in

violation of the 14<sup>th</sup> Amendment of the United States Constitution. This constituted Deliberate En-

(par. 40-41, 43-50, 55-65, 186-187, also 57)  
differance to the Plaintiff's Serious Mental Health Needs in violation of the 14<sup>th</sup> Amendment of the United

(par. 43-47, 55-56, 58-60, 63, 65)  
States Constitution. This constituted Deliberate Indifference to the Plaintiff's Personal Safety in violation of

the 14<sup>th</sup> Amendment of the United States Constitution. This constituted Punishment without conviction

(2)

(par. 43-50, 55-56, 67, 68) (par. 189-191, 43-47, 50, 55-56, 57, 58-60, 61, 65)  
in violation of the 14<sup>th</sup> Amendment. This constituted the Tort of Negligence in violation of Mass-

(par. 40-71) entire totality of facts  
achusetts Law. This constituted intentional infliction of emotional distress Tort in violation of Mass-

(par. 40-71) entire totality of facts  
achusetts Law. This constituted Punishment without conviction in violation of the 14<sup>th</sup> Amendment

of the United States Constitution.

(page 11-18; par. 40-71) (par. 40-71)  
2. The actions of Defendants' Khan, Homer, Castor, Saintiche and Olubodun on 10-2-2017 in denying

(par. 40-71) (par. 71, 154) (policy attached)  
the plaintiff, who had an impaled abdominal stab wound, medically necessary and policy mandated, safe ambulance transport to

(par. 43-47, 57) (par. 40-71)  
an outside Hospital, after the plaintiff requested proper medically necessary ambulance transport, constituted violation of the

(par. 40-71)  
Federal Americans With Disabilities Act; title II. This constituted violation of the Federal Rehabilitation Act as

(par. 43-49) (par. 40-41, 49) (par. 40-41)  
this was intentional discrimination for the plaintiff's mental health and physical disabilities.

(page 16-18) also par 61-65 (par. 62)  
3. The actions of Defendants' Jahnum and Carigeniss in willfully agreeing to participate in violations

(par. 40-71) (par. 65, 64) (par. 63) (par. 63) (par. 63, 64, 65, 66)  
of the plaintiff's rights on 10-2-2017 by recklessly transporting, moving, assaulting and causing further life threatening

(par. 66)  
injury to the plaintiff who required emergency surgery to save his life, constituted Deliberate Indifference to

(par. 61-66)  
the plaintiff's serious Medical Needs in violation of the 14<sup>th</sup> Amendment of the United States Constitution.

(par. 61-66)  
This constituted Deliberate Indifference to the plaintiff's personal safety in violation of the 14<sup>th</sup> Amend-  
ment of the United States Constitution. This constituted the Tort of Intentional Infliction of

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(par. 61-66)  
emotional distress in violation of Massachusetts Law. This constituted the tort of Negligence in violation of

(par. 61-66)  
Massachusetts Law. This constituted the tort of Assault and Battery in violation of Massachusetts Law.

(par. 71, 152-154) (par. 71, 152, 153)  
4. The actions of Defendants' Hunkshorn and Gentoli REGARDING and in response to the 10-2-

(par. 40-71) (par. 154) also 71)  
2017 Denial of Medical care safe ambulance transport required to preserve the plaintiff's life, by failing to

(71, 152-154) (71, 152-154) (71, 152, 154, 153)  
take corrective, preventative and procedural action required by the constitution and Massachusetts Law,

(par. 152, 153, 154, 71)  
constituted violations of Procedural Due Process of the United States Constitutional Amendment

(71, 152, 153, 154) (40, 41; 40-71)  
14. This constituted Deliberate Indifference to the Plaintiff's Serious Medical Needs in violation of the 14<sup>th</sup>  
Amendment of the United States Constitution.

5. The actions of Defendants' Hunkshorn and Gentoli REGARDING and in response to the 10-

2-2017 Denial of Medical care safe ambulance transport for the plaintiff who had an impaled abdominal stab wound

and who verbally requested proper medically necessary ambulance transport required to preserve the plaintiff's life, by

(par. 40-71)  
failing to take (and allowing to happen in the first place) corrective, preventative, and procedural action, this constituted

violation(s) of the Federal Americans with Disabilities Act, Title II. This constituted violation(s) of the

Federal Rehabilitation Act as this was intentional discrimination against the plaintiff's physical and mental  
disabilities.

(4)

(pg. 34-37; par. 114-116)

6. The actions of Defendant Brockett on 10-20-2017 in ordering that a bed be flipped over while the

(114-116)

plaintiff was connected to the frame (plaintiff hiding out of fear) hurting the plaintiff's already severely wounded

(115-116)

abdomen. Brockett then verbally degraded the plaintiff then physically twisting his arm and handcuffing the

(114-116)

(114-116)

(114-116)

injured plaintiff in a violent manner, then not calling for any medical assistance and locking plaintiff in Room 2 of

(114-116)

Infirmery, constituted Assault and Battery in violation of Massachusetts Law. This constituted Deliberate In-

(114-116)

ifference to plaintiff's Serious Medical Needs. This constituted Deliberate Indifference to the plaintiff's personal

(114-116)

safety. This constituted Deliberate Indifference to the plaintiff's Serious Mental Health needs, all Deliberate

(114-116)

Indifference in violation of the 14<sup>th</sup> Amendment of the United States Constitution. This constituted the Tort

(114-116)

of Negligence in violation of Massachusetts Law. This constituted violation of punishment without conviction

(114-116)

(114-116)

in violation of the 14<sup>th</sup> Amendment of the United States Constitution.

(par. 74-151, 155-171, 172-174)

(par. 140, 155-171, 172-174)

7. The actions of Defendants' Khan (10-20-2017, 10-19-2017), Comiskey (10-27-2017),

(par. 155-171, 172-174)

Myers (10-19-2017, 10-20-2017, 10-27-2017), Biswas (10-20-2017), Furtado (10-19-2017, 10-20-2017, 10-27-2017),

(par. 120, 124, 155-171, 172-174)

(par. 43, 44, 95, 96, 155-171, 172-174)

and Correct Care Recovery Solutions (10-19-2017, 10-20-2017, 10-27-2017), which consisted of unlawfully

(par. 74-151, 155-171, 172-174)

and unconstitutionally ordering unlawful and unconstitutional restraint-seclusion on the plaintiff. They each

(155-171, 172-174)

acted together and individually, after having detailed knowledge that the plaintiff had a highly compromised

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(par. 74)  
(swollen, distended, deformed) and severely wounded abdomen (vertical incision going up-down middle of plaintiff's

(par. 74)  
abdomen containing multiple stitches and stab wound hole in abdomen leaking feces-bial-yellow matter).

These individuals [This Defendant group also contains (par. 155-171, 172-174)  
Huckshorn (10-19-2017, 10-20-2017, 10-27-2017) and

(par. 155-171, 172-174)  
Gentili (10-19-2017, 10-20-2017, 10-27-2017)] ordered restraint by handcuffs, security tube mitts, pad lock,

(par. 172-174, 155-171)  
waist chain and leg shackles. These individuals wrote, approved and/or allowed unlawful restraint during which

(par. 77-82) (par. 223) (220, 221, 222, 223, 224)  
time the plaintiff was in nocturnal-current-imminent psychiatric emergency which is required by MGL c. 123B

(par. 226-232) (attached to complaint)  
21, Massachusetts Code of Regulation 104CMR 27.10-12, and by CCRS-BSH Hospital Policy. These individuals

disregarded intentionally and arbitrarily State Law which prohibits the use of restraint methods which require

(par. 228)  
a lock-key to use 104CMR 27.12. These individuals intentionally and arbitrarily disregarded State Law which

(par. 226) (par. 226-232)  
prohibates behavior techniques which cause infliction of pain or physical discomfort 104CMR 27.10. These in-

dividuals intentionally and arbitrarily disregarded State Law which prohibits restraint being used for behavior man-

(par. 226-232)  
agement 104CMR 27.12. These individuals disregarded - intentionally and arbitrarily - state law which prohibits

(par. 229) (par. 226-232)  
persons from being mechanically restrained and secluded-seclusion at the same time 104CMR 27.12. All of the

(par. 74-151)  
orders were written without the plaintiff being afforded a meaningful opportunity to be heard - plaintiff had no

(par. 74-151, 172-174, 155-171)  
idea who was ordering the restraint - thereby denying the plaintiff constitutionally sufficient Due Process

(par. 219-234) ⑥

of Law, Due Process required by State Law and Due Process called for by CCAS-BSTH policy. During all periods

(par. 74-151)

of restraint no physical or mental physical assessment required by CCAS-BSTH policy, The Constitution and State Law was

(par. 74-151)

(par. 74-151)

ever done prior, during or after the plaintiff was unlawfully restrained. During all points of this unlawful restraint

(par. 74-151)

(par. 74)

the plaintiff was denied all medical treatment - wound care - for his serious medical need - wounded abdomen and hole

(par. 74, 117-118)

(par. 172-174; orders attached to complaint)

(policy attached to complaint)

leaking feces - blood - yellow matter. The restraint orders themselves were not written according to CCAS policy and State

(par. 172-174)

Law or a constitutionally sufficient manner; some orders were signed twice with same exact language, some orders

(orders attached to complaint)

(par. 172-174)

were vague or even one sentence long and some were signed weeks later. None of the orders mention anything

about properly treating the plaintiff's abdominal wound. These individuals intentionally, maliciously and sadistically ordered

(par. 74-151)

(par. 74-151)

an unlawful metal chain be put on or around the plaintiff's severely wounded abdomen which they knew was leaking

(par. 74-151)

feces - blood - yellow matter and that they knew required wound care, they knew that they were chaining a serious

(par. 74)

(par. 74-151)

medical need. This serious medical need was common knowledge to all Hospital personnel and obvious to lay

(par. 74-151)

(par. 74-151, 222-234)

persons. These individuals used unlawful restraint that was illegal under State Law and caused the plaintiff

(par. 74-151)

(par. 74-151)

(par. 74-151)

extreme physical pain and psychological distress. This unlawful restraint served absolutely no governmental or rational

(par. 74-151, 155-171)

(par. 235)

(par. 235)

purpose and was therefore punishment on the plaintiff who as a civilly committed person may not be punished

(par. 74-151)

at all. These individuals ordered the plaintiff be chained - restrained unlawfully in unsafe conditions leaving the

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(par. 74)

(par. 74-151)

plaintiff who was severely injured to walk around and fend for himself, risking falling or severe injury. All of

(par. 74-151)

these individuals were obviously aware that chaining-restraining a severely wounded and leaking abdomen

(par. 74-151, 240)

(par. 74-151)

would cause unnecessary and wanton infliction of pain; this is more than obvious. These individuals ordered the

(74-151)

(74-151)

metal restraint unlawfully on the plaintiff and then turned a blind eye leaving the plaintiff in inhumane, degrading,

(74-151)

(par. 117-118)

(74-151)

inherently cruel conditions; plaintiff denied wound care due to chain directly on wound, denied all hygiene, denied clean

(74-151)

(74-151)

(74-151)

(117-118, 74-151)

clothing, denied pain medicine, phone calls. The plaintiff was layed in his own feces-blat yellow matter during

most restraint periods. These individuals also knew the plaintiff needed surgical care outside the scope and cap-

abilities of CCAS-BST medical personnel, yet all together orchestrated and participated in keeping the wounded

(74-151, 172-174)

plaintiff restrained and without medical care 10-19-2017 to 10-20-2017; over 22 hrs kept in unlawful restraint and

(par. 74)

(par. 74-171)

delayed Hospital level necessary care for the plaintiffs. serious medical need, the plaintiff requested Hospital and

medical care entire time. These individuals were especially culpable in ordering this metal restraint torture on the

plaintiff because Bridgewater State Hospital during the time of restraint was monitored under a Superior Court of

Massachusetts Court to ensure lawful compliance with state Restraint Law and for patients to receive

humane treatment including earliest possible release from restraint. This particular restraint procedure - the

(par. 155-171)

Hand Kneezie Policy - was historically used by BST Medical Doctors, Nurses, Psychiatrists and correct-



(8)

tional Personnel prior to correct Care Recovery Solutions taking over operations at BSH in 2017.

Some of the defendants' worked under Dep. of Corrections and participated or directly used this policy;

(155-171)  
Khan, Comishaf, Myers, Cluckson, Brodette all used or participated in this policy as Dep. of Corrections

(par. 155-171)  
employees. This practice, though inherently unlawful since its unknown inception, is used on patients' labeled

(par. 155-171)  
as "inserters"; patients who stab themselves with objects - weapons. This unlawful practice used primarily

(par. 155-171)  
and exclusively on "inserters" is used as a punishment or deterrent to try and curb habitual self-injury.

(par. 155-171)  
This practice-policy has always been unlawful and has gone legally unchallenged until this civil action.

(par. 74-151, 155-171, 172-174)  
This all constitutes Punishment without conviction in violation of ~~the~~ 14th Amendment of the United

(par. 74-151, 155-171, 172-174)  
States Constitution. This all constitutes Deliberate Indifference to the plaintiff's serious medical needs in

violation of the 14th Amendment of the United States Constitution. This all constitutes ~~violation~~ Deliberate Indifference

(par. 74-151, 155-171, 172-174)  
to the plaintiff's serious mental Health Needs in violation of the 14th Amendment of the United States

(par. 74-151, 155-171, 172-174)  
Constitution. This constituted violation of Procedural Due Process of the 14th Amendment of the

(par. 74-151, 155-171, 172-174)  
United States Constitution. This constituted the Tort of Material Breach of Contract in violation of Mass-

(par. 74-151, 155-171, 172-174)  
achusetts Law. This constituted the Tort of Intentional Infliction of Emotional Distress in violation of

(par. 74-151, 155-171, 172-174)  
Massachusetts law. This constituted Deliberate Indifference to the plaintiff's personal safety in violation

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of the 14<sup>th</sup> Amendment of the United States Constitution. This constituted violations of the Federal

(par. 74-151, 155-171, 172-174) also 203-215 (par. 74-151, 155-171, 172-174)  
Americans With Disabilities Act - Title II. This constituted violations of the Federal Rehabilitation

also 203-215  
Act as the use of unlawful restraint and denial of medical care was used as intentional discrimination

for the plaintiffs disabilities.

8. (par. 74-171) (par. 155-171) (155-171) (155-171) (155-171)  
The actions of defendants' Huckshorn, Gentile, Myers and Correct Care Recovery Solutions

in failing to correct known unlawful restraint and denial of medical care on 10-19-2017, 10-20-2017, 10-

22-2017, constitutes violation of Procedural Due Process of the 14<sup>th</sup> Amendment of the United

(74-171)  
States Constitution. This constituted Deliberate Indifference to the plaintiffs' serious medical needs, in violation

of the 14<sup>th</sup> Amendment of the United States Constitution.

9. (par. 262-287) (par. 1-16)  
The plaintiff asks for a declaratory judgment and financial compensation regarding each

violation of the Constitution and State Law. The plaintiff suggested specific amounts but ultimately

(see page D1)  
left the judgment to the Justice of the Honorable Federal Court or Jury if trial eventually

follows.